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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 O. Z. MARTIN,

11 Plaintiff,

No. CIV S-05-0934 FCD EFB P

12 vs.

13 EDWARD JR. ALAMEIDA, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a state prisoner without counsel seeking relief for alleged civil rights
17 violations. *See* 42 U.S.C. § 1983. Defendants have filed a motion to vacate the pretrial dates
18 established in the March 2, 2006, schedule. Pursuant to that schedule, plaintiff had until
19 November 17, 2006, to file a pretrial statement, defendants had until December 1, 2006, to file a
20 pretrial statement and the pretrial conference was set for December 8, 2006. The trial date is
21 February 27, 2006.

22 Defendants' September 27, 2006, motion for summary judgment is pending. Resolution
23 of the motion may or may not dispose of the case without trial, or it may limit the issues and the
24 witnesses and exhibits that will be presented at trial. Therefore, the parties cannot, despite
25 diligence, comply with the above dates.

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1 Accordingly, the above dates are vacated. *See* Fed. R. Civ. P. 16(b). Upon resolution of
2 the motion, new dates will be set if the case is not disposed of by the motion.

3 So ordered.

4 Dated: December 12, 2006.

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6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
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